

106TH CONGRESS  
2D SESSION

# H. R. 5574

To authorize the Secretary of Health and Human Services to establish an adoption awareness program; to establish the Adoption Awareness Commission; and to promote adoptions through increased public awareness and increased tax incentives.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2000

Mr. LAMPSON (for himself, Mr. SANDLIN, Mr. TURNER, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Mr. GREEN of Texas, Mr. GONZALEZ, Mr. RODRIGUEZ, Mr. PASCRELL, Mr. CRAMER, Mr. HILLIARD, Ms. ESHOO, Mr. BRADY of Pennsylvania, Mr. OLVER, Mr. FORBES, Mr. ROTHMAN, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. SERRANO, Mr. MCCOLLUM, Mr. INSLEE, Ms. WOOLSEY, and Mr. KING) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize the Secretary of Health and Human Services to establish an adoption awareness program; to establish the Adoption Awareness Commission; and to promote adoptions through increased public awareness and increased tax incentives.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Adoption Does Offer  
3 Potential Treasures Act of 2000”.

4 **TITLE I—ADOPTION PROMOTION**

5 **SEC. 101. SHORT TITLE.**

6       This title may be cited as the “Adoption Promotion  
7 Act”.

8 **SEC. 102. ADOPTION AWARENESS PROGRAM.**

9       (a) IN GENERAL.—The Secretary of Health and  
10 Human Services (referred to in this title as the “Sec-  
11 retary”) shall establish an adoption awareness program.  
12 The Secretary shall make grants through the program to  
13 eligible private entities to pay for the Federal share of the  
14 cost of developing and distributing materials promoting  
15 adoption.

16       (b) USE OF FUNDS.—

17           (1) IN GENERAL.—An entity that receives a  
18 grant under subsection (a) shall use funds made  
19 available through the grant to develop and carry out  
20 an adoption public promotion campaign, including—

21                   (A) developing and placing public service  
22 announcements regarding adoption on tele-  
23 vision, radio, and billboards; and

24                   (B) developing and distributing brochures  
25 regarding adoption through federally funded  
26 family planning clinics in the United States, in-

1 including coordinating the distribution of the bro-  
2 chures with the distribution of educational ma-  
3 terials under title X of the Public Health Serv-  
4 ice Act (42 U.S.C. 300 et seq.).

5 (2) LIMITATION.—The entity may not place a  
6 public service announcement, as described in para-  
7 graph (1)(A), or distribute a brochure, as described  
8 in paragraph (1)(B), until the Secretary has re-  
9 viewed the announcement or brochure, reviewed the  
10 recommendation described in section 103(d)(2)(B)  
11 regarding the announcement or brochure, and ap-  
12 proved the announcement or brochure.

13 (c) APPLICATION.—To be eligible to receive a grant  
14 under subsection (a), an entity shall submit an application  
15 to the Secretary at such time, in such manner, and includ-  
16 ing such information as the Secretary may require.

17 (d) SELECTION.—The Secretary shall make grants  
18 under subsection (a) to recipients selected from among ap-  
19 plicants receiving favorable recommendations from the  
20 Adoption Awareness Commission under section  
21 103(d)(1)(B).

22 (e) FEDERAL SHARE.—

23 (1) IN GENERAL.—The Federal share of the  
24 cost described in subsection (a) shall be 50 percent.

1           (2) NON-FEDERAL SHARE.—The non-Federal  
2       share of the cost may be contributed in cash or in  
3       kind, fairly evaluated, including plant, equipment, or  
4       services.

5 **SEC. 103. ESTABLISHMENT OF COMMISSION.**

6       (a) ESTABLISHMENT.—There is established a com-  
7       mission to be known as the Adoption Awareness Commis-  
8       sion (referred to in this title as the “Commission”).

9       (b) COMPOSITION.—The Commission shall be com-  
10      posed of 7 members, of whom—

11           (1) 1 shall be appointed by the President;

12           (2)(A) 2 shall be appointed by the President,  
13       from among not fewer than 6 persons nominated by  
14       the majority leader of the Senate; and

15           (B) 1 shall be appointed by the President, from  
16       among not fewer than 4 persons nominated by the  
17       minority leader of the Senate; and

18           (3)(A) 2 shall be appointed by the President,  
19       from among not fewer than 6 persons nominated by  
20       the Speaker of the House of Representatives; and

21           (B) 1 shall be appointed by the President, from  
22       among not fewer than 4 persons nominated by the  
23       minority leader of the House of Representatives.

24       (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
25      bers shall be appointed for the life of the Commission. Any

1 vacancy in the Commission shall not affect its powers, but  
2 shall be filled in the same manner as the original appoint-  
3 ment.

4 (d) DUTIES.—The Commission shall—

5 (1)(A) review the applications submitted under  
6 section 102; and

7 (B) by majority vote, make recommendations to  
8 the Secretary regarding which applicants should re-  
9 ceive grants made under section 102; and

10 (2)(A) review the public service announcements  
11 and brochures developed by the recipients of the  
12 grants made under section 102; and

13 (B) by majority vote, make recommendations to  
14 the Secretary regarding approval of the announce-  
15 ments and brochures.

16 (e) MEETINGS.—The Commission shall meet at least  
17 4 times in each fiscal year.

18 (f) COMPENSATION OF MEMBERS.—Each member of  
19 the Commission who is not an officer or employee of the  
20 Federal Government shall be compensated at a rate equal  
21 to the daily equivalent of the annual rate of basic pay pre-  
22 scribed for level IV of the Executive Schedule under sec-  
23 tion 5315 of title 5, United States Code, for each day (in-  
24 cluding travel time) during which such member is engaged  
25 in the performance of the duties of the Commission. All

1 members of the Commission who are officers or employees  
2 of the United States shall serve without compensation in  
3 addition to that received for their services as officers or  
4 employees of the United States.

5 (g) TRAVEL EXPENSES.—The members of the Com-  
6 mission shall be allowed travel expenses, including per  
7 diem in lieu of subsistence, at rates authorized for employ-  
8 ees of agencies under subchapter I of chapter 57 of title  
9 5, United States Code, while away from their homes or  
10 regular places of business in the performance of services  
11 for the Commission.

12 (h) DETAIL OF GOVERNMENT EMPLOYEES.—Any  
13 Federal Government employee may be detailed to the  
14 Commission without reimbursement, and such detail shall  
15 be without interruption or loss of civil service status or  
16 privilege.

17 (i) PROCUREMENT OF TEMPORARY AND INTERMIT-  
18 TENT SERVICES.—The Chairman of the Commission may  
19 procure temporary and intermittent services under section  
20 3109(b) of title 5, United States Code, at rates for individ-  
21 uals which do not exceed the daily equivalent of the annual  
22 rate of basic pay prescribed for level V of the Executive  
23 Schedule under section 5316 of such title.

24 (j) TERMINATION.—The Commission shall terminate  
25 on September 30, 2005.

1 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated to carry out  
3 this title \$25,000,000 for each of fiscal years 2001  
4 through 2005.

5 **TITLE II—ADOPTION CREDIT,**  
6 **AND EXCLUSION FOR ADOPT-**  
7 **ION ASSISTANCE PRO-**  
8 **GRAMS, EXPANDED AND**  
9 **MADE PERMANENT**

10 **SEC. 201. ADOPTION CREDIT, AND EXCLUSION FOR ADOPT-**  
11 **ION ASSISTANCE PROGRAMS, EXPANDED**  
12 **AND MADE PERMANENT.**

13 (a) INCREASE IN MAXIMUM BENEFIT.—

14       (1) Section 23(b)(1) of the Internal Revenue  
15 Code of 1986 (relating to dollar limitation) is  
16 amended by striking “\$5,000 (\$6,000” and inserting  
17 “\$7,500 (\$10,000”.

18       (2) Section 137(b)(1) of such Code is amended  
19 by striking “\$5,000 (\$6,000” and all that follows  
20 and inserting “the dollar limit applicable under sec-  
21 tion 23(b)(1).”.

22 (b) HIGHER INCOME TAXPAYERS ELIGIBLE FOR  
23 BENEFITS.—

24       (1) Section 23(b)(2)(A)(i) of such Code (relat-  
25 ing to income limitation) is amended by striking  
26 “\$75,000” and inserting “\$150,000”.

1           (2) Section 137(b)(2)(A) of such Code is  
 2           amended by striking “\$75,000” and inserting “the  
 3           dollar limit applicable under section 23(b)(2)(A)(i)”.

4           (c) BENEFITS MADE PERMANENT FOR ALL CHIL-  
 5 DREN.—

6           (1) Paragraph (2) of section 23(d) of such Code  
 7           is amended to read as follows:

8           “(2) ELIGIBLE CHILD.—The term ‘eligible  
 9           child’ means any individual who—

10                   “(A) has not attained age 18, or

11                   “(B) is physically or mentally incapable of  
 12           caring for himself.”.

13           (2) Section 137 of such Code is amended by  
 14           striking subsection (f) (relating to termination).

15           (d) COST-OF-LIVING ADJUSTMENT OF DOLLAR LIM-  
 16 TATIONS.—Section 23 of such Code is amended by redes-  
 17 ignating subsection (h) as subsection (i) and by inserting  
 18 after subsection (g) the following new subsection:

19           “(h) COST-OF-LIVING ADJUSTMENT.—

20                   “(1) IN GENERAL.—In the case of an adoption  
 21           which becomes final in any calendar year after 2001,  
 22           the dollar amounts in subsection (b)(1) and the  
 23           \$150,000 amount in subsection (b)(2)(A)(i) with re-  
 24           spect to such adoption shall be increased by an  
 25           amount equal to—



1 “(A) such dollar amount, multiplied by

2 “(B) the cost-of-living adjustment deter-  
3 mined under section 1(f)(3) for such calendar  
4 year by substituting ‘calendar year 2000’ for  
5 ‘calendar year 1992’ in subparagraph (B)  
6 thereof.

7 “(2) ROUNDING.—

8 “(A) MAXIMUM CREDIT AMOUNTS.—If any  
9 dollar amount in subsection (b)(1) as adjusted  
10 under the preceding sentence is not a multiple  
11 of \$100, such amount shall be rounded to the  
12 nearest multiple of \$100.

13 “(B) INCOME LIMITATION.—If the  
14 \$150,000 amount as adjusted under the pre-  
15 ceding sentence is not a multiple of \$1,000,  
16 such amount shall be rounded to the nearest  
17 multiple of \$1,000.”

18 (e) EFFECTIVE DATE.—The amendments made by  
19 this section shall apply to taxable years beginning after  
20 the date of the enactment of this Act.

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